

Message

From: Werth, Drew [Andrew.Werth@arcadis.com]
Sent: 10/3/2019 2:16:36 PM
To: Calanog, Steve [Calanog.Steve@epa.gov]
Subject: RE: 10/1/19 Haystack Mine Conf Call Notes

Thanks Steve!

Drew Werth

O: 720.344.3892 C: 303.717.9966

From: Calanog, Steve <Calanog.Steve@epa.gov>
Sent: Thursday, October 3, 2019 8:12 AM
To: Makerov, Mike <Mike.Makerov@BNSF.com>; Stegman, Allen M <allen.stegman@bnsf.com>; Thomas, Charles D <Charles.Thomas@BNSF.com>; Kuhl, Brooke <Brooke.Kuhl@BNSF.com>; Werth, Drew <Andrew.Werth@arcadis.com>; Harmon, Alison <Ali.Harmon@arcadis.com>; 'David M. Metres' <DMetres@bargcoffin.com>
Cc: Gallo, Madeline <Gallo.Madeline@epa.gov>; Tom, Priscilla <Tom.Priscilla@epa.gov>; Townsend, Amanda <townsend.amanda@epa.gov>; 'Vivian Craig' <viviancraig@navajo-nsn.gov>
Subject: 10/1/19 Haystack Mine Conf Call Notes

All -

BNSF: Mike Makarov, Brooke Kuhl, Charles Thomas

- o Arcadis: Drew Werth, Ali Harmon
- o Outside Counsel: Dave Metres

NNEPA: absent

USEPA: Steve Calanog, Maddy Gallo, Priscilla Tom, Amanda Townsend

1. Safety update: driving safely in inclement weather.
2. Community Involvement

BNSF and Arcadis will be hiring Cecil Lewis, Jr. the Chapter President to be the community liaison. They are pulling together the contract and other paperwork to get his position in place ASAP, and plan to get involved at the November and December chapter meetings to engage with the community.

Drew said that they will seek feedback from the community liaison and the community on whether they want a blessing ceremony. Priscilla explained that it is up to Ex. 6 Personal Privacy (PP) as to whether wants a blessing ceremony and when. She said that a medicine man's fee for a blessing ceremony starts at \$250 and up.

3. Residential Lease Application Process

The Cultural Resources Survey is done and was submitted on 9/18 to the Navajo Historic Preservation Department. Once the Department approves it, the residential lease application can be submitted to BIA. Ali spoke with Vivian about expediting the Navajo Historic Preservation Department's approval process, and Vivian said that she would reach out in the afternoon of September 30. Normally the approval process takes about 30 to 45 days.

4. Time Critical Removal Action

Following the bid walk, the contractors had 2 weeks to submit questions. They asked good questions, and Arcadis/BNSF turned around answers within a day and asked for the bids to be expedited. Arcadis/BNSF received all bids by the deadline of 9/27 and they are now reviewing the bids. Arcadis and BNSF will discuss the bids.

Maddy asked about the State of New Mexico's question following the last progress report, as to waste consolidation on Section 19. Maddy plans to reach out to Region 6 to decide whether EPA should reach out to the State of New Mexico, as the AOC only requires temporary waste consolidation. Ali has been trying to reach the State since receiving that email but hasn't received a response yet; she will keep trying.

Drew reported that the SWPPP is complete, they will just need to send a notice of intent 30 days before the work starts.

5. Mobile Home Relocation

Dave has revised the draft housing agreement and will circulate to the group soon.

Drew pointed out that when Ali sent the revised schedule, it was based on the assumption that agency approval would occur this week and then the residents would have 2 weeks to review and respond to it, so that timing may slip. The limiting factor on the schedule is the manufacturing of the homes; if they had ordered in September, the mobile home company said it would not be delivered until the end of December, and that they can't fabricate homes any faster. Drew said that Arcadis/BNSF is working on the closing documents and all other paperwork necessary so that it is all done as quickly as possible.

Drew also reported that once a contractor is selected, the contractor will start work on actually procuring the utilities (beyond what Arcadis/BNSF have already done to inquire about what is necessary and the timing).

Maddy asked Priscilla if she or Vivian had reached out to the residents to provide an update. Priscilla hasn't talked with Vivian recently and doesn't know if Vivian has talked with the residents again. However, during the walk-through, Priscilla and Vivian told the residents that the agencies are reworking the housing agreement package with BNSF, so they know that we are working on it.

Steve reminded Arcadis/BNSF to let us know whenever they anticipate the potential for missed deadlines in the schedule. Drew agreed to update the schedule as soon as the relocation package is completed.

Priscilla asked which mobile home company BNSF is working with? Ali replied that it is Clayton Homes in Gallup.

Next steps:

- A. Dave will provide a revised housing agreement to the group.
- B. Ali will continue her attempts to reach the State of New Mexico.
- C. Maddy will coordinate with Region 6 on potential communications with the State of New Mexico.

Let me know if you have any questions or comments.

Steve Calanog
Federal On-Scene Coordinator
Emergency Response Section
US Environmental Protection Agency

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